

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEREK KHANNA, individually and
derivatively, On behalf of Shimbly Corp

Plaintiff,

vs.

KATELYNN BANKS, et. al

Defendants.

Case N. 21-cv-5752

Judge Virginia M. Kendall
Magistrate Keri Holleb-Hotaling
JURY DEMANDED

**DEFENDANTS OPPOSED MOTION FOR
EXTENSION OF TIME TO EXTEND FACT DISCOVERY CLOSURE DATE**

NOW COME Defendants KATELYNN BANKS and SHIMBLY CORPORATION (“Defendants”) and by their undersigned attorneys, respectfully move this Court, pursuant to FED. R. CIV. P. 16(b)(4) for a 14-day extension or until September 26, 2025, to complete fact discovery depositions. Defendants state as follows in support:

1. This Honorable Court set a fact discovery closure deadline for September 12, 2025. (Dkt #314).

2. Defendant BANKS and SHIMBLY filed a Motion To Dismiss Plaintiff’s Second Amended Complaint, which was fully briefed on July 8, 2025. (*See* Dkt #317).

3. The motion remains pending.

4. In the last Joint Status Report filed on July 21, 2025 the defendants indicated that they anticipated deposing the plaintiff on August 18 or 20, 2025. (Dkt 318).

5. Now, the parties are attempting to complete the deposition of plaintiff by September 26, due to scheduling issues with Plaintiff counsel and defense counsel, including moving a child into an out of state college on the east coast.

6. There is no prejudice to any party should the Court grant a brief extension. Defendants are not seeking to extend any other discovery deadlines entered by this Court in Dkt #321.

7. Defendants, iSellMLS.com, Inc., Cindy Banks, Eirik Somerville, and Tony Banks, do not object to this motion.

WHEREFORE, Defendant KATELYNN BANKS, and SHIMBLY CORPORATION pray that this Honorable Court enter an order as follows:

1. Defendants' motion is granted;
2. Fact discovery is extended to September 26, 2025, or whenever this Court deems reasonable and just.

Respectfully Submitted,

By: /s/ Troy Radunsky
Troy Radunsky, One of
the attorneys for Defendant,
Katellynn Banks

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that **Defendants Motion for Extension of Time To Close Fact Discovery** was filed on August 21, 2025, with the Northern District of Illinois ECF System, serving a copy to all parties.

//s/ Troy S. Radunsky
Troy Radunsky